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10 **UNITED STATES BANKRUPTCY COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **SACRAMENTO DIVISION**

13 In re:
14 **NATHAN BENJAMIN DAMIGO,**

15 **Debtor**

16 Chapter Number: 7

17 **ELIZABETH SINES, SETH**
18 **WISPELWEY, MARISSA BLAIR,**
19 **TYLER MAGILL, APRIL MUNIZ,**
20 **HANNAH PEARCE, MARCUS**
21 **MARTIN, NATALIE ROMERO,**
22 **JOHN DOE, AND CHELSEA**
23 **ALVARADO**

24 **Plaintiffs**

25 **v.**

26 **NATHAN BENJAMIN DAMIGO**

27 **Defendant**

28

9 **Case No. 19-90003-E-7**
10 **Hon. Judge Christopher Klein**

11 **DEBTOR NATHAN DAMIGO'S**
12 **STATEMENT OF ISSUES,**
13 **DESIGNATION OF RECORD, AND**
14 **STATEMENT REGARDING**
15 **TRANSCRIPT**

16 **Adv. Pro. No. 19-09006-E**

17 Hearing Date: October 29, 2025

18 Hearing Time: 10:00 a.m.

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1 In accordance with Federal Rule of Bankruptcy Procedure 8009, Debtor and
2 Appellant Nathan Damigo provides the following Statement of Issues, Designation of
3 items to be included in the record on appeal, and statement regarding the ordering of
4 a transcript.

STATEMENT OF ISSUES

8 1) Whether the bankruptcy court erred in holding, based on collateral estoppel
9 principles and the jury verdict, jury instructions, and amended judgment in the
10 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District
11 of Virginia) case that the compensatory and nominal damages awarded against
12 Mr. Damigo in that case are nondischargeable under 11 U.S.C. § 523(a)(6).
13
14 2) Whether the bankruptcy court erred in holding, based on collateral estoppel
15 principles and the jury verdict, jury instructions, and amended judgment in the
16 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District
17 of Virginia) case that the punitive damages awarded against Mr. Damigo in that
18 case are nondischargeable under 11 U.S.C. § 523(a)(6).
19
20 3) Whether the bankruptcy court erred in holding, based on collateral estoppel
21 principles and the jury verdict, jury instructions, and amended judgment in the
22 *Sines, et al. v. Kessler, et al.*, Case No. 3:17-cv-00072-NKM (Western District
23 of Virginia) case that Reimbursable Expenses awarded against Mr. Damigo in
24 that case are nondischargeable under 11 U.S.C. § 523(a)(6).
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DESIGNATION OF ITEMS FOR INCLUSION IN RECORD ON APPEAL

A. From Chapter 7 Bankruptcy Petition # 19-90003, *In re Nathan B. Damigo*:

1. List of all docket entries
2. Docket Entry (“DE”) No. 1, Damigo Chapter 7 Voluntary Petition, dated 1/02/2019
3. DE No. 20, Amended Schedule of Assets, dated 02/11/2019
4. DE No. 21, Notice of Report of No Distribution, dated 02/15/2019

B. From Adversary Proceeding 19-09006, *Sines et al. v. Damigo*:

1. List of all docket entries
2. DE No. 1, Initial Complaint
3. DE 76, Answer to Initial Complaint, dated 03/13/2025
4. DE 82, Amended Complaint, dated 04/03/2025
5. DE 87, Answer to Amended Complaint, dated 04/22/2025
6. DE 89, Motion for Summary Judgment by Nathan Damigo, dated 05/08/2025
7. DE 91, Memorandum in Support of Damigo Motion for Summary Judgment, dated 05/08/2025
8. DE 93, Motion for Summary Judgment by Plaintiffs, dated 05/08/2025
9. DE 95, Declaration by Mr. Eisenbach in support of Joint Statement of Undisputed Facts, dated 05/08/2025
10. DE 97, Memorandum in Support of Plaintiffs’ Motion for Summary Judgment, dated 05/08/2025

11. DE 98, Joint Exhibits 1-5 in support of Joint Statement of Undisputed Facts,
2 dated 05/08/2025
12. DE 100, Joint Exhibits 6-17 in support of Joint Statement of Undisputed
4 Facts, dated 05/08/2025
- 6 13. DE 101, Joint Stipulation of Undisputed Facts, dated 05/08/2025
- 7 14. DE 107, Damigo's Opposition to Plaintiffs' Motion for Summary Judgment,
8 dated 6/11/2025
- 10 15. DE 108, Plaintiffs' Opposition to Damigo's Motion for Summary Judgment,
11 dated 6/11/2025
- 13 16. DE 110, Plaintiffs' Reply Memorandum in Support of Motion for Summary
14 Judgment, dated 6/18/2025
- 15 17. DE 112, Damigo's Reply in Support of Motion for Summary Judgment,
16 dated 6/18/2025
- 18 18. DE 144, Court's Memorandum Opinion regarding cross motions for
19 summary judgment, dated 8/29/2025
- 21 19. DE 145, judgment / Order Granting in Part, denying in part each party's
22 motion for summary judgment
- 24 20. DE 150, Judgment Against Nathan Damigo, dated 8/29/205
- 25 21. DE 158, Damigo Notice of Appeal, dated 09/10/2025
- 26 22. DE 164, Damigo Motion to Stay Judgment Pending Appeal, dated
27 09/12/2025.

STATEMENT REGARDING TRANSCRIPT ORDER

Mr. Damigo states and certifies that he has not ordered any transcripts and does not intend to do so.

Dated: September 24, 2025

Respectfully submitted,

/s/

Glen K. Allen, Esq.
5423 Springlake Way
Baltimore, MD 21212
Attorney for Nathan Damigo, Debtor

CERTIFICATE OF SERVICE

I hereby certify that on September 24, 2025 true and accurate copies of the foregoing were served via ECF procedures of this Court to all counsel of record.

/s/

Glen K. Allen, Esq.
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